IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 13 of 2005

Between:

Morampudi Ramesh, S/o. Raghava Rao, Proprietor,
Sri Veera Raghava Tea, Tiffen Mess, Near Bosu Bomma Centre, Tiruvur, Krishna District.

..... PETITIONER

AND

The Environmental Engineer (FAC), A.P. Pollution Control Board,
Regional Office, Vijayawada, Plot No.41, Sri Kanakadurga Officers Colony, Gurunanak Road, Vijayawada-8.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Order No.W.P.903/2004/PCB/RO-VII/2004-1177 dated 28-12-2004 issued by the respondent as illegal, improper, unjust and contrary to law and consequently set aside the impugned proceedings.

Counsel for the Petitioner : MRS.Y.ANUPAMA DEVI

Counsel for the Respondent: MR.S.V.BHATT

The Court, at the stage of admission, made the following :

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ORDER:

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Against the impugned order, dated, 28.12.2004, a statutory appeal lies to the Andhra Pradesh Pollution Control Board, under Section 31 of the Air (Prevention and Control of Pollution) Amendment Act, 1987.

In view of the effective alternative remedy of appeal available to the petitioner, the writ petition cannot be entertained, and the same shall accordingly stand dismissed. There shall be no order as to costs.

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(A.GOPAL REDDY,J)

Date: 05.01.2005

ts/gj

To

1. The Environmental Engineer (FAC), A.P. Pollution Control Board,Regional Office, Vijayawada, Plot No.41, Sri Kanakadurga Officers Colony, Gurunanak Road, Vijayawada-8.

2. Two C.D. copies.